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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 13 April 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to you once again to reiterate our urgent appeals for the international community to take responsible and prompt action to stop the intentional killing and injuring of Palestinian civilians in the occupied and besieged Gaza Strip by Israeli occupying forces.

For the third week in a row, Palestinians throughout the Occupied Palestinian Territory, including East Jerusalem, and particularly in Gaza, continue to engage in the "Great March of Return", a peaceful civilian protest against Israel's illegal occupation, oppression and dispossession of the Palestinian people for decades. Demonstrations continue in the hopes of drawing attention to the tragic plight and miseries of our people and putting international pressure on Israel to lift its illegal 10-year air, land and sea blockade of the Gaza Strip, end its occupation of Palestinian land and recognize the right of return of Palestine refugees. We recall in this regard that most of Gaza's population is composed of Palestinians who have been forcibly expelled from their homes and land since 1948.

In launching the March, the Palestinian people have chosen a peaceful path to voice their demands in the face of decades of Israeli violence, colonization and cruelty. In this regard, we recall that the Palestinian people have every right to protest Israel's illegal occupation and oppression. Peaceful protest is a legitimate exercise of the rights of freedom of expression, assembly and association, and Israel, as the occupying power, is obligated to protect and respect the human rights of the Palestinians living under its occupation.

Yet, in total disregard and violation of the established rules and principles of international law, peaceful Palestinian protestors continue to be deliberately targeted by Israeli soldiers, who have been instructed to fire live ammunition from sniper rifles, rubber-coated steel bullets and stun grenades and tear gas canisters from drones at innocent civilians. We condemn in the strongest terms the wilful killing and

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injuring of civilians, which amounts to grave breaches of the Fourth Geneva Convention.

As of the writing of the present letter, the Israeli occupying forces have killed 1 Palestinian civilian and injured at least 542 Palestinian civilians, bringing the total number of Palestinian civilian demonstrators killed since the Great March of Return began on 30 March 2018 to 31 persons, including 3 children, and the number of wounded to 3,620 persons, including 445 children and 152 women. Of those injured, 106 remain in serious or critical condition.

We must also draw attention to the deliberate killing of Yaser Murtaja, a young journalist and documentary filmmaker who was shot dead by Israeli occupying forces on 6 April 2018 while wearing his helmet and vest both clearly marked "PRESS". Murtaja was killed while he was filming a nurse, a doctor and a 12-year-old student who had been protesting, two days before he was set to start working with a humanitarian organization, the Norwegian Refugee Council.

In this regard, Israeli Defence Minister Avigdor Lieberman, notorious for his violent rhetoric and incitement, attempted to justify this cold-blooded murder by claiming that Murtaja was operating a drone when he was shot, an assertion that even the Israeli military has denied. Such libellous claims prove once again the occupying Power's readiness to defame and dehumanize Palestinians, even in death.

Murtaja's case is not an isolated one, as the deliberate killing of Palestinian civilians and the use of lethal force against unarmed protesters continue to be widely perpetrated by the Israeli occupation machine. This week, a disturbing video emerged showing Israeli snipers shooting unarmed Palestinian protestor Tamer Abu Daqqa, age 28, near the Gaza boundary fence, with soldiers in the background cheering and shouting expletives as he fell to the ground.

While this shocking video spurred outrage among international public opinion and civil society, several Israeli leaders instead condoned the soldiers' actions, with Israeli Education Minister Naftali Bennett stating, "I prefer a whooping solider to a grieving father". Public Security Minister Gilad Erdan stated that he was "unable to comprehend what isn't okay in the video". Defence Minister Lieberman also stated, "The sniper deserves a promotion, whereas the cameraman deserves a demotion".

Moreover, an Israeli military officer said in an interview that a Palestinian "does not necessarily have to be armed or trying to cut or climb over the fence" to justify the army opening fire. The Israeli military's preliminary inquiry into the soldiers' behaviour found that the sniper who had shot Tamer Abu Daqqa "acted appropriately". A field researcher at Israeli human rights organization B'Tselem, however, said that the video reflects the truth about the hundreds of times Israeli snipers target Palestinians for "fun".

Another recent casualty caused by Israel's wilful, excessive and lethal use of force against Palestinian civilians occurred yesterday, 12 April 2018, when Israeli occupying forces shot in the chest and killed Abdullah Muhammad Shahri, age 28, during protests east of Khan Younis, in southern Gaza, reconfirming this disturbing pattern of cruel and deliberate violence against the occupied people.

It is clear from successive declarations and statements by Israeli government and military officials that, to Israel, Palestinian lives do not matter. Israeli officials have been using inflammatory rhetoric and incitement against peaceful Palestinian protesters since and prior to the start of the Great March of Return, threatening to treat protesters as legitimate targets, including through the use of live fire.

Among other incendiary and racist remarks, Defence Minister Lieberman has stated, "There are no innocent people in the Gaza Strip". Similarly, in a video posted

on an Israeli news site, the Foreign Affairs Director of Netanyahu's Likud Party, Eli Hazan, asserted that "all 30,000 [protesters] are legitimate targets". In addition, a spokesman for the Israeli occupation forces tweeted an image of a group of Palestinian children seen through the lens of a sniper's rifle, with the message "We are watching you closely".

All such declarations and comments constitute admission of deliberate, planned and institutionalized intent to violate international law, at the highest levels of command of Israel, the occupying Power. In the face of such increased rhetoric and incitement, it is high time for the international community to consider these facts and act accordingly, in line with international law, including international humanitarian and human rights law, rather than fall prey once more to Israel's propaganda.

Against this extremely worrying backdrop, we welcome the warning issued by the International Criminal Court in the context of the Great March of Return that "any person who incites or engages in acts of violence, including by ordering, requesting, encouraging or contributing in any other manner to the commission of crimes within the International Criminal Court's jurisdiction" may face trial.

We also welcome the calls issued on 6 April 2018 by United Nations human rights experts, namely the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the right to housing, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, urging the international community to "ensure accountability through an independent and impartial investigation into the Israeli response".

As Palestinian casualties and tensions continue to mount, such moral, ethical and responsible stands are more urgent than ever to stem the tide of violence and incitement by this cruel occupation against our people. In this regard, it must also be noted that Israeli settler violence, hatred and terror against Palestinians is also on the rise. Just yesterday, 12 April 2018, in the early morning hours, extremist Israeli settlers once again attacked a mosque, this time in the village of Aqraba, north of Nablus, setting it on fire and vandalizing the mosque's walls with the words "death" and "price tag", clearly aiming to further terrorize the Palestinian population.

That Israel has grown so addicted to and brazen in its violation of international law and the systematic commission of crimes, including war crimes and crimes against humanity, is undoubtedly a result of the decades-long impunity that continues to be granted by the international community. This cannot continue. The lives and fate of the defenceless Palestinian people suffering under this illegal occupation are dependent on an end to this impunity and injustice.

We thus reiterate our demands for international action, particularly by the Security Council, to ensure accountability for and a cessation of the violations being committed by the occupying Power. Israeli officials who have ordered unlawful lethal force must be prosecuted as a matter of universal jurisdiction or in international judicial forums. Furthermore, the international community must uphold its legal obligation to ensure the protection of civilians, for this obligation has not only been abdicated by Israel, the occupying Power, but is being intentionally and systematically breached as it continues its military attacks against civilians in Occupied Palestine, particularly in the Gaza Strip. A lack of serious action by the international community to address this crisis and the continued violation of the law and denial of the Palestinian people's rights will only bolster Israel's impunity and allow for the further loss of innocent human life.

The present letter is in follow-up to our 630 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which

constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 6 April 2018 (A/ES-10/775-S/2018/329), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of those war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations

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